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March 1, 2021

VIA ECF

The Honorable Edgardo Ramos
United States District Court
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square, Courtroom 619
New York, New York 10007

Pursuant to Fed. R. Civ. P. 41(a)(2), the Court dismisses this action. The Court directs the Clerk to close the case.

It is SO ORDERED.



Edgardo Ramos, U.S.D.J.
Dated: 3/2/2021
New York, New York

Re: *Dwight Capital LLC d/b/a "Love Funding Corporation" v. Gateway Residential, LLC et al.*
Civil Action No.: 1:20-cv-10542
Our File Number: 2301/004

Dear Judge Ramos:

This firm represents Plaintiff in connection with the above-referenced matter.

Pursuant to your Honor's directive at the telephonic conference on February 16, 2021, this letter is to apprise the Court as to how Plaintiff desires to proceed in response to Defendants' pre-motion letter of January 7, 2021, in which Defendants assert a lack of personal jurisdiction and improper venue. Defendants seek dismissal or transference of this action to the United States District Court in South Carolina which, frankly, is not a better or the proper forum for this action, given that neither Love Funding nor Dwight Capital has a connection to South Carolina and the underlying contract stipulates dispute resolution according to District of Columbia law.

The controlling document underlying this action provides for binding arbitration between the parties and therefore Plaintiff desires to proceed via that means of alternative dispute resolution.

Therefore, Plaintiff defers to the preference of this Court whether the parties should stipulate to discontinue this action or the Court will dismiss the action without opposition or objection by Plaintiff.

Respectfully yours,

/s/ Michael L. Shanker, Esq.

cc (via ECF): Scott R. Matthews, Esq.
Elliot A. Fus, Esq.